

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

RAYMOND R. MOURADIAN,
Plaintiff,

v.

CIVIL ACTION NO.
17-10091-PBS

U.S. GOVERNMENT; MEDICARE;
CMS; IRS and ITS EMPLOYEES;
JEFF SESSIONS, U.S. ATTORNEY
GENERAL; SELMA VERNA, DIRECTOR,
MEDICARE, CMS; and JOHN
KOSKINEN, COMMISSIONER
INTERNAL REVENUE SERVICE,
Defendants.

REPORT AND RECOMMENDATION RE:
DEFENDANTS' MOTION TO DISMISS (DOCKET ENTRY # 39);
PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT (DOCKET
ENTRY # 28); PLAINTIFF'S MOTION FOR A DECLARATORY
JUDGMENT (DOCKET ENTRY # 37); PLAINTIFF'S MOTION
FOR A DEFAULT JUDGMENT
(DOCKET ENTRY # 45)

August 30, 2018

BOWLER, U.S.M.J.

Plaintiff Raymond R. Mouradian ("plaintiff") filed this
action asserting a denial of due process and equal protection
because defendants Medicare and/or the Centers for Medicare and
Medicaid Services ("CMS") sought reimbursement for certain costs
of his medical care resulting from an automobile accident.

(Docket Entry # 1). When he refused to comply with one or more
reimbursement requests, the Bureau of the Fiscal Service of the

*9/21/18 after review of the response, the Court
adopts the report and recommendation.
Because plaintiff failed to appeal the
agency's decisions, although provided notice
of his right to do so, he did not exhaust
his administrative remedies as provided
by statute. The Court allows the defendants' motion
to dismiss (# 39) and denies plaintiff's motions
(# 28, 37 and 45). Dan B Sarao*